

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Lawrence Berman,**

**Plaintiff,**

**Case No. 2:16-cv-508**

**v.**

**Judge Michael H. Watson**

**Lot Number 297, in Berwick  
Heights No. 2, et al.,**

**Magistrate Judge Kemp**

**Defendants.**

**OPINION AND ORDER**

On June 7, 2016, Plaintiff Lawrence W. Berman ("Plaintiff") filed, *pro se*, a complaint "for quiet title to real estate," alleging violations of both the United States Constitutional and federal racketeering laws. ECF No. 1-1. Rather than pay the \$400 filing fee, Plaintiff filed a motion for leave to proceed in forma pauperis. ECF No. 1.

Magistrate Judge Kemp denied this motion, noting that Plaintiff failed to provide the Court with any personal financial information. ECF No. 4. The Magistrate Judge ordered Plaintiff to "either pay the required filing fee or submit, within 20 days, a properly-supported motion" for leave to proceed in forma pauperis. *Id.* at 2. Plaintiff was warned that "[h]is failure to do so may result in the dismissal of this case." *Id.*

Plaintiff neither paid the filing fee nor filed a proper motion. Instead, he responded that the Magistrate Judge lacked jurisdiction to order him to file "an in

forma pauperis affidavit as a post-filing condition for employing this Court's services." ECF No. 14. Plaintiff appears to argue that the Court lacks jurisdiction "over the issues raised in this Case" because Plaintiff intended his invocation of the Court's "Original jurisdiction" to be "clearly and unambiguously conditional." *Id.*

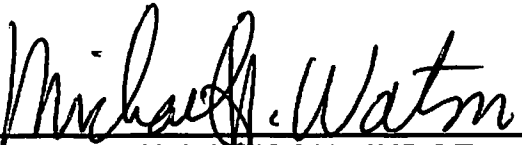
Defendants did not respond to the Magistrate Judge's order or to Plaintiff's objections. Rather, they have collectively filed six motions to dismiss the complaint. ECF Nos. 19, 20, 21, 22, 23, & 24. Defendants generally argue that Plaintiff has failed to allege any actionable wrongdoing. Plaintiff has failed to respond to any of these motions and the time to do so has expired. Because Plaintiff failed to respond to Defendants' motions, the Court may deem him to have waived any opposition to the arguments set forth therein. *Humphrey v. U.S. AG Office*, 279 F. App'x 328, 331 (6th Cir. 2008); Fed. R. Civ. P. 41(b).

The Court, therefore, **DISMISSES** Plaintiff's case for two independent reasons. First, Plaintiff has failed to pay the required filing fee or file a properly-supported motion for leave to proceed in forma pauperis. To the extent Plaintiff objects to these requirements or to the Magistrate Judge's articulation of these requirements, such objections are **OVERRULED**.

Second, Plaintiff failed to prosecute his case and substantively respond to Defendants' dispositive motions within the time allotted by Local Rule 7.2. He has, therefore, waived any opposition to the arguments set forth in those motions.

For the foregoing reasons, Plaintiff's complaint is **DISMISSED**. The Clerk is directed to enter final judgment in favor of Defendants in this case.

**IT IS SO ORDERED.**

  
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**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**